



June 6, 2007

SUBJECT: THE LAND DEVELOPMENT ORDINANCE COMMITTEE

The Land Development Ordinance Committee (LDOC) met Wednesday, June 6, 2007, at 4 p.m., in the second floor Seminar Room located at The Plaza, 100 W. Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were Jake Alexander, Bill Burgin (Co-chair), George Busby, John Casey, Mark Lewis (Co-chair), Brian Miller, and Bill Wagoner, and Victor Wallace.

Absent: Karen Alexander, Phil Conrad, Steve Fisher, Rodney Queen, and Jeff Smith

Staff Present: Bryan Alston, Janet Gapen, Patrick Kennerly, Dan Mikkelsen, Preston Mitchell, Joe Morris and David Phillips.

The meeting was called to order with Bill Burgin (Co-chair) presiding. The minutes of the May 30, 2007, meeting were accepted.

Chapter Summaries

Chapter 14 – Preston Mitchell distributed final drafts of Chapter 14 (dated 5-16-07).

Chapter 5–Preston Mitchell presented charts on Residential Building Types that he proposed to use as a resource in the Land Development Office. He also distributed current draft copies of Chapter 5 (dated 6-04-07). Bill Burgin (Co-chair) recommended that the committee study the charts and chapter for discussion at one final review of Chapter 5 at a later date.

Chapter 4–Bill Burgin (Co-chair) and Mark Lewis (Co-chair) stated it is *preferred* for the Engineer making comments on a particular proposed development plan at TRC to be the project manager for that development plan; however, in a case where the project manager is not available, the TRC should meet as scheduled. They also discussed the point that the TRC of tomorrow will look very different than it does currently. Dan Mikkelsen stated that the TRC will be a public meeting, and some form of public notice will be mandatory.

Chapter 16–Preston Mitchell distributed 06-01-07 draft copies of Chapter 16. He clarified that Chapter 16 defines what is needed for a complete application of any type. It does not regulate *which* type of application is required. Chapter 15 regulates which type of application is required, and Chapter 15 will be reviewed at the next committee meeting.

Dan Mikkelsen reviewed Chapter 16. The following points were highlighted:

- An incomplete application will be identified as soon as possible, based on the lists in Chapter 16, and an incomplete application might not be presented at the next TRC, Planning Board, or City Council meeting.
- A schematic plan does not have to be prepared by a licensed professional. Other submittals (minor and major site plans, master plans, preliminary and final subdivision plats, and construction documents) must be prepared by a licensed professional with appropriate statutory authority.
- Staff will add a more detailed list to Sec. 16.4 subpart M and Sec. 16.5 subpart X, the new NPDES (storm water quality) requirement.
- Bill Wagoner expressed his concerns with 16.5 subpart T that time constraints with DENR approval sometimes prohibits submittal of the soil erosion and sedimentation plan approval letter parallel with construction document submittal. Staff will clarify that the sedimentation plan approval letter will be required for final approval of the construction plan documents, not for the initial submittal of the documents.
- For Sec. 16.5 subpart Z The committee also agreed that water and sewer approval sometimes prohibits submittal of the final approval letter at construction document submittal. Staff will clarify that the final approval letter will be required for final approval of the construction plan documents, not for the initial submittal of the documents.
- There appears to be some duplication. Staff will evaluate combining Sections 16.5 subpart S, 16.5 subpart Z, and 16.5 subpart AA.
- Sec 16.6–the proposed requirement for submittal of final plats is very similar to our current requirements.
- Sec 16.7–certification requirements for submittal of final plats will be modified slightly pending further input from staff.
- The reference to Alternative Plans, Section 16.10.C will be clarified as “Alternative Methods of Compliance for landscaping (if applicable), and will be relocated to Section 16.10.B.14.
- Sec 16.11– Subpart Item 4 will read as “Locations of all pole-mounted and building-mounted fixtures.” The remainder of this paragraph will be deleted.
- Sec 16.11–Subpart Item 5 will be deleted.
- Sec 16.12–This section and all applicable items with the previous naming of this section will be re-named as Building Design Requirements.
- Sec 16.13–Staff will check Chapter 9 to verify a process for negotiating mitigation alternatives for TIA’s exists in the code.
- Sec 16.14 – Staff will check for duplication with previous sections.

Chapter 17 – Preston Mitchell distributed current draft copies of Chapter 17, Violations and Penalties (dated 6-30-06) for review at our next committee meeting.

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